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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/681,844	10/07/2003	Patricia Helen Reynolds	1001-001	7112

7590

08/24/2004

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EXAMINER

MENDIRATTA, VISHU K

ART UNIT	PAPER NUMBER
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3712

DATE MAILED: 08/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/681,844

Applicant(s)

REYNOLDS, PATRICIA HELEN

Examiner

Vishu K Mendiratta

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10/7/03/.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 17-19 rejected under 35 U.S.C. 102(b) as being anticipated by Stevens (5607160).

Claim 17: Stevens teaches a board having a top surface, a path, game spaces (1), at least one space being a religious action space (Q,A,D), a trivia card with religious questions and answers (Fig.2A), a plurality of tokens (21), die (22), a debate mechanism (4:34-56), and a religious –action mechanism (4:10-30).

Claim 18: An opposition player challenging believing that a playing team has answered incorrectly (4:34-56).

Claim 19: A playing team performing a religious action (4:10-30), upon landing on a religious action space (A).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which

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said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 20 rejected under 35 U.S.C. 103(a) as being unpatentable over Stevens in view of Ex. Parte Breslow 192 USPQ 431.

Stevens teaches a game with trivia categories of "Father", "Son" and "Holy Spirit". The only difference between applicant's categories (different religions) and the cited reference (Father, Son and Holy Spirit) resides in meaning and information conveyed by the printed matter that is not considered patentable Ex. Parte Breslow. The game will not change because a different question from a different category is asked. In order to attract game players from different faith, it would have been obvious to print related questions and act indicia on game items. One of ordinary skill in art at the time the invention was made would have suggested modifying game indicia to represent actions and questions from a plurality of different religions to attract players from different faith.

5. Claims 1-8 rejected under 35 U.S.C. 103(a) as being unpatentable over Cohen (5120066) in view of Ex. Parte Breslow 192 USPQ 431.

Claims 1,5,8: Cohen teaches a trivia card (Fig.2-3) with questions and answers, teaches designating a player (5:68-6:1) and opposite player (6:29), a player providing answer (6:17-18), a challenged by an opponent (6:28-29), the challenger providing answer (6:30-31), resolving the dispute and awarding/penalizing the player/challenger depending on who answers correctly. Cohen teaches a game with trivia categories of "words and subwords". The only difference between applicant's categories (religions) and the cited reference (words and subwords) resides in meaning and information conveyed by the

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printed matter that is not considered patentable Ex. Parte Breslow. The game will not change because a different question from a different category is asked. In order to attract game players from different faith, it would have been obvious to print related questions and act indicia on game items. One of ordinary skill in art at the time the invention was made would have suggested modifying game indicia to represent actions and questions from a plurality of different religions to attract players from different faith.

Claim 2-3: Cohen teaches rectangular surface, path and spaces (Fig.1),

Claim 4: Trivia cards have questions and answer on opposite sides (3,9).

Claim 6: Rewarding by advancing pieces (6:38-42).

Claim 7: Penalizing by retreating pieces (6:24-27).

6. Claims 9-16 rejected under 35 U.S.C. 103(a) as being unpatentable over Stevens (5607160) in view of Ex.Parte Breslow 192 USPQ 431.

Stevens teaches a board having a top surface, a path, game spaces (1), at least one space being a religious action space (Q,A,D), a trivia card with religious questions and answers (Fig.2A), a plurality of tokens (21), die (22), a debate mechanism (4:34-56), and a religious –action mechanism (4:10-30). Stevens teaches a player providing an answer (3:60-4:5), answering correctly and rolling a die and advancing playing pieces (2:23-25).

Stevens teaches a game with trivia categories of “Father”, “Son” and “Holy Spirit”. The only difference between applicant’s categories (different religions) and the cited reference (Father, Son and Holy Spirit) resides in meaning and information conveyed by the printed matter that is not considered patentable Ex.

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Parte Breslow. The game will not change because a different question from a different category is asked. In order to attract game players from different faith, it would have been obvious to print related questions and act indicia on game items. One of ordinary skill in art at the time the invention was made would have suggested modifying game indicia to represent actions and questions from a plurality of different religions to attract players from different faith.

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Morris, Wyatt, Peterson, Yearick, Langham, Sullivan, Makow all teach board games with question/answer cards, challenging a players answer, dispute resolving, rewarding and penalizing.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vishu K Mendiratta whose telephone number is (703) 306-5695. The examiner can normally be reached on Mon-Fri 8AM to 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Derris H Banks can be reached on (703) 308-1745. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, consisting of a stylized 'V' followed by a series of loops and a long horizontal stroke extending to the right.

Vishu K Mendiratta
Primary Examiner
Art Unit 3712

VKM
August 17, 2004